

Alaska Department of Revenue

Application for Voluntary Disclosure

Department use only	Envelope #
FSN	SEQ #

615

Part I

Representative's name		State agency involved Department of Revenue - Tax Division	
Representative's mailing address		Mailing address 550 West 7th Avenue, Suite 500	
City, State, Zip Code		City, State, ZIP Code Anchorage, AK 99501	
Representative's email address (optional)		Questions? Email dor.tax.disclosure@alaska.gov	
Representative's daytime telephone	Representative's fax	Telephone number 907-269-6620	Fax number 907-269-6644

Part II

Tax Type <input type="checkbox"/> Corporation Net Income Tax (AS.43.20)	Tax periods
Entity type <input type="checkbox"/> Corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> LLC (limited liability company)	<p>1. Has the entity ever filed an income tax return with the Department of Revenue.? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Has the entity ever been the subject of an inquiry by the Department of Revenue with respect to liability for any taxes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Part III

Attach the following information as Exhibit 1:	Attach the following information as Exhibit 2:
<ul style="list-style-type: none"> A description of the qualified business entity's business activities A description of the qualified business entity's business in Alaska The facts giving rise to the offer to enter into a Voluntary Disclosure Agreement Whether the DOR has contacted the entity, and if so, the nature of such contacts The settlement terms proposed by the company If the entity is a partnership or LLC, the number of corporate partners or members 	<ul style="list-style-type: none"> A statement with your estimate of the amount of taxes due, by tax period. Show the accompanying computations.

Part IV

Part V

<i>I declare under penalty of perjury under the laws of the State of Alaska, that I am authorized by the unnamed entity to act as its agent in negotiating a settlement under Alaska's Voluntary Disclosure Program and that the information given above and in the attached Exhibit 1 and Exhibit 2 is true and correct to the best of my knowledge and belief.</i>		
Signature	Person completing form (Print name)	Date

Mail to: Alaska Department of Revenue - Tax Division
550 W 7th Ave Ste 500 • Anchorage AK 99501-3566
Telephone 907-269-6620
FAX 907-269-6644
dor.tax.disclosure@alaska.gov

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Date received	Case #

Application for Voluntary Disclosure
EXHIBIT 1

Provide the items requested in Part III of Form 0405-615. Attach additional sheets as necessary.

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Application for Voluntary Disclosure
EXHIBIT 2

Provide the items requested in Part IV of Form 0405-615. Attach additional sheets as necessary.

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Application for Voluntary Disclosure

Introduction

The purpose of the Department of Revenue's (DOR) Voluntary Disclosure Program (VDP) is to encourage corporations and other business entities that may have incurred an unpaid Alaska income tax liability and/or have an unfulfilled tax return filing requirement to disclose their liability voluntarily. Qualified business entities that choose to participate in the VDP will be required to disclose their Alaska tax liability only for the immediately preceding five income years. DOR may waive penalties associated with the return filings.

General Information

AS 43.05.010 and AS 43.05.080 permit the DOR to enter into voluntary disclosure agreements with any qualified business entity in order to obtain voluntary compliance with the tax laws of the State of Alaska. Qualified business entities that participate in the VDP are required to file returns for the five income years ending immediately prior to the date the agreement is signed. DOR may waive penalties associated with the return filings. As part of the agreement, DOR will waive its authority to assess taxes, additions to taxes, or penalties for the income years ending prior to the five income years covered by the voluntary disclosure agreement.

Qualified Business Entities

Only qualified business entities are eligible to participate in the Voluntary Disclosure Program. A "qualified business entity" is an entity that meets all of the following criteria. It must:

- Be a corporation, S corporation, partnership, or limited liability company;
- Have never filed a return with the DOR;
- Have not been the subject of an inquiry by the DOR with respect to liability for income taxes; and
- Have voluntarily come forward, prior to any unilateral contact from the DOR, and completed both an application for voluntary disclosure agreement and a full and accurate statement of its activities in Alaska for the five immediately preceding taxable or income years.

Penalties Waived

If the qualified business entity fully complies with the voluntary disclosure agreement, the DOR may not assess any or all of the following penalties for the income years covered by the agreement:

- AS 43.05.220(a) - failure to make and file a return;
- AS 43.05.220(a) - failure to pay tax;
- AS 43.05.220(b) - negligence or intentional disregard;
- AS 43.05.220(c) - fraud; and/or
- Internal Rev. Code §6655 - failure to pay estimated tax.

Violation of the Agreement

Certain events will nullify the voluntary disclosure agreement if the qualified business entity:

- misrepresents material facts relevant to the agreement;
- fails to file returns or pay taxes for the periods covered by the agreement;
- reneges on an installment payment arrangement;
- understates the tax liability for any year covered by the agreement and cannot show good faith effort to accurately compute the tax liability; or
- fails to continue to comply with Alaska tax law.

Common Forms for Corporate Income Tax

0405-611	Corporate Net Income Tax Return (standard)
0405-611SF	Corporate Net Income Tax Return (short)
0405-650	Oil & Gas Corporate Net Income Tax Return
---	Guide to Returns Based on a Combined Report

You may download, view, and print Alaska income tax forms and publications listed above. Our Internet address is:

<http://www.tax.alaska.gov>

You may call the number below, or send an e-mail request, if you would like the forms sent to you by mail.

<i>Need Help?</i> Contact us at 907.269.6620; or e-mail us at: dor.tax.disclosure@alaska.gov
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Instructions for Filing Form 0405-615 Application for Voluntary Disclosure

Qualified business entities that choose to participate in the Voluntary Disclosure Program must use Form 0405-615, Application for Voluntary Disclosure, to apply. To remain anonymous, program applicants may have a representative contact the Department of Revenue. Company representatives should not reveal the name of the company or any information that could readily identify the company to the DOR until the agreement is executed. DOR will assign program applicants an identifying number, such as VDA 06-001, which should be used in subsequent correspondence once DOR receives the application.

Part I

Enter the name, address, and telephone number of the qualified business entity's representative. The representative must be authorized to represent the entity in the Voluntary Disclosure Program. **Note:** Do not disclose the name, address, or telephone number of the entity choosing to participate in the VDP on the application. The entity should remain anonymous until the agreement is executed.

Part II

1. Indicate the type of business entity applying to participate in the Voluntary Disclosure Program.
2. State each tax year to be covered by the agreement.
3. Answer the questions in Part II. If the entity answers yes to any of the questions in Part II, stop. The entity does not qualify to participate in the Voluntary Disclosure Program.

Note: At present, the VDP is only available for corporate net income tax.

Part III

Include the following information in Exhibit 1:

- a description of the entity's business activities;
- the facts giving rise to the offer to enter into the Voluntary Disclosure Program;
- the settlement terms proposed; and
- the number of corporate partners or members, if the entity applying for VDP is an LLC or is a partnership. Note: partnerships or LLCs that have only individual partners/members, are not required to file in Alaska, and are not eligible to participate in the VDP.

Part IV

On Exhibit 2 include a statement with your estimate of taxes due. Show the estimate by year, along with the accompanying computations.

Part V

An authorized representative must sign the application.

The Department of Revenue will contact the representative if additional information is required. DOR may accept the entity's proposed settlement, modify the proposed settlement, or reject the proposed settlement, based on the information available.

If DOR determines that there are any material misstatements of fact or tax liability, or the entity fails to file any returns, or pay any tax as required by the agreement, the voluntary disclosure agreement will be null and void.

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